

MIF

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Guillermo LEON-Denogean,

Defendant

Magistrate Docket No. 008 MJD-1071-13

COMPLAINT FOR VIOLATION OF:

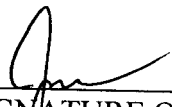
Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

DEPUTY

The undersigned complainant, being duly sworn, states:

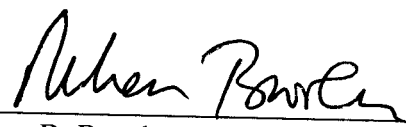
On or about **April 5, 2008** within the Southern District of California, defendant, **Guillermo LEON-Denogean**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 7th DAY OF APRIL 2008.



Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

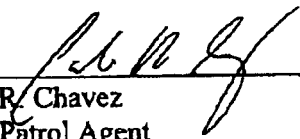
CONTINUATION OF COMPLAINT:
Guillermo LEON-Denogean**PROBABLE CAUSE STATEMENT**

I declare under the penalty of perjury that the following statement is true and correct:

On April 5, 2008, Border Patrol Agent Harvey Nunez was performing assigned duties near Jacumba, California. At approximately 7:30 a.m., Agent Nunez observed five individuals walking northbound in an area known as "Seven Gates". This area is approximately half a mile north of the United States/Mexico International Border and 25 miles east of the Tecate, California Port of Entry. Agent Nunez approached the individuals and identified himself as a United States Border Patrol Agent and asked the individuals their citizenship in the Spanish and English language. When questioned about their citizenship, each individual, including the defendant **Guillermo LEON-Denogean**, responded in the Spanish language that they were citizens and nationals of Mexico. All five individuals were also without proper immigration documents which would allow them to enter or remain in the United States legally. Agent Nunez then placed the five individuals, including the defendant, under arrest and transported them to the Boulevard Border Patrol Station for processing.

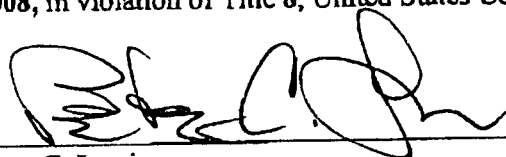
Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on **January 12, 2006** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on April 6, 2008 at 12:00 p.m.



Carlos R. Chavez
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on April 5, 2008, in violation of Title 8, United States Code, Section 1326.



Peter C. Lewis
United States Magistrate Judge

4-6-08 @ 12:15 p.m.
Date/Time